



Docket No.: SOA-0385
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jose P. Garcia, Jr. et al.

Application No.: 10/813,044

Confirmation No.: 4867

Filed: March 31, 2004

Art Unit: 3728

For: UNIVERSAL MEDIA DISC PRESENTATION
STAND

Examiner: B. P. Gehman

**PETITION TO
ACCEPT AN UNINTENTIONALLY DELAYED CLAIM UNDER 37 C.F.R. § 1.78**

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Any nonprovisional application or international application designating the United States of America claiming the benefit of one or more prior-filed provisional applications must contain or be amended to contain a reference to each such prior-filed provisional application, identifying it by the provisional application number (consisting of series code and serial number). 37 C.F.R. §1.78 (a)(5).

Pursuant to 37 C.F.R. §1.78, any petition to accept an unintentionally delayed claim under 35 U.S.C. §119(e) for the benefit of a prior-filed provisional application must be accompanied by:

- (i) The reference required by 35 U.S.C. §119(e) and 37 C.F.R. §1.78(a)(5) to the prior-filed provisional application, unless previously submitted;
- (ii) The surcharge set forth in §1.17(t); and

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- (iii) A statement that the entire delay between the date the claim was due under paragraph (a)(5)(ii) of this section and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

Reference

Filed along with this Petition is an Amendment Under 37 C.F.R. 1.312. This Amendment includes the reference required by 35 U.S.C. §119(e) and 37 C.F.R. §1.78(a)(5) to the prior-filed provisional application.

Surcharge

The surcharge required by 37 C.F.R. §1.17(t) of \$1,370.00 must be paid as a condition of accepting the unintentionally delayed claim under 35 U.S.C. §119(e) for the benefit of a prior-filed provisional application.

Accordingly, the surcharge being submitted is **\$1,370.00.**

The Director is hereby authorized to charge Deposit Account # 18-0013 the sum of \$1,370.00. A duplicate copy of this authorization is attached.

As to any charge any fee deficiency, the Director is hereby authorized to charge any fee deficiency to Deposit Account # 18-0013. A duplicate copy of this authorization is attached.

Please credit any overpayment to Deposit Account # 18-0013. A duplicate copy of this authorization is attached.

Statement


The entire delay between the date the claim was due under 37 C.F.R. §1.78(a)(5)(ii) and the date the claim was filed was unintentional.

Conclusion

The petitioner respectfully requests acceptance of the unintentionally delayed claim under 35 U.S.C. §119(e) for the benefit of a prior-filed provisional application.

Dated: August 4, 2006

Respectfully submitted,

By  47,255

Ronald P. Kananen

Registration No.: 24,104

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 23353

Attorney for Applicant